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4/3/91



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

RECEIVED GROUP 180

In re Application of Keith)
Serial Number: 07/542,149)
Filed: June 22, 1990)

Art Unit: 184
Examiner: C. Low JUN 11 1991

For: PERTUSSIS TOXIN GENE: CLONING AND EXPRESSION

RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby responds to the Restriction Requirement mailed April 1, 1991. A petition to extend the period for response one month to June 1, 1991, authorization to debit the account of the assignee, and an Information Disclosure Statement are presented herewith.

Prior to examination on the merits, please amend the subject application as follows:

Cancel claim 1; and

Add the following new claims 5-10:

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5. ~~A cloned gene comprising at least a portion encoding a mutant Bordetella pertussis toxin, or a fragment or derivative of said portion, wherein said portion or fragment or derivative encodes a polypeptide comprising an epitope capable of contributing to immunoprotection against pertussis toxicity,~~
- toxin* *toxin*